

BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
61st LEGISLATURE - REGULAR SESSION**

HOUSE NATURAL RESOURCES COMMITTEE

Date: Friday, January 16, 2009

Time: 3:00 pm

Place: Capitol

Room: 472

BILLS and RESOLUTIONS HEARD:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

HB-22 - did not act on it

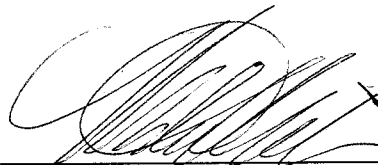
EXECUTIVE ACTION TAKEN:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

HB 39 - passed

HB 41 - Passed as amended

COMMENTS:



REP. Mike Milburn, Chairman

HOUSE OF REPRESENTATIVES
Roll Call
Natural Resources Committee

DATE: 1/16/2009

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
Vice Chair Gordon Hendrick	✓	
Vice Chair JP Pomnichowski	✓	
Rep. Kendall Van Dyk	✓	
Rep. Michele Reinhart	✓	
Rep. Scott Mendenhall		✓
Rep. Mike Miller	✓	
Rep. Betsy Hands	✓	
Rep. Brian Hoven	✓	
Rep. Anders Blewett	✓	
Rep. Tom McGillvray	✓	
Rep. Jill Cohenour	✓	
Rep. Gerald Bennett	✓	
Rep. Sue Dickenson	✓	
Rep. Tony Belcourt	✓	
Rep. Chas Vincent	✓	
Rep. Wendy Warburton	✓	
Rep. Mike Menahan	✓	
Chairman Mike Milburn	✓	



HOUSE STANDING COMMITTEE REPORT

January 17, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **House Bill 39** (first reading copy – white) **do pass**.

Signed: 

Representative Mike Milburn, Chair

- END -

Committee Vote:

Yes 16, No 2

Fiscal Note Required ☐

HB0039001SC:hjd



HOUSE STANDING COMMITTEE REPORT

January ¹⁷~~15~~, 2009
Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **House Bill 41** (first reading copy – white) **do pass as amended.**

Signed: _____

Representative Mike Milburn, Chair

And, that such amendments read:

1. Title, page 1, line 7.

Strike: "75-5-401,"

2. Page 1, line 11 through page 3, line 16.

Strike: section 1 in its entirety

Renumber: subsequent sections

- END -

Committee Vote:

Yes 18, No 0

Fiscal Note Required ____

HB0041002SC.hjd

HOUSE OF REPRESENTATIVES
Roll Call - Vote
Natural Resources Committee

DATE: 1/10

BILL: HB 41 - as amended

<u>NAME</u>	<u>Yes</u>	<u>No</u>
Rep. Gordon Hendrick (VCh)	✓	
Rep. JP Pomnichowski (VCh)	✓	
Rep. Kendall Van Dyk	✓	
Rep. Michele Reinhart	✓	
Rep. Scott Mendenhall	✓ - by proxy	
Rep. Mike Miller	✓	
Rep. Betsy Hands	✓	
Rep. Brian Hoven	✓	
Rep. Anders Blewett	✓	
Rep. Tom McGillvray	✓	
Rep. Jill Cohenour	✓	
Rep. Gerald Bennett	✓	
Rep. Sue Dickenson	✓	
Rep. Tony Belcourt	✓	
Rep. Chas Vincent	✓	
Rep. Wendy Warburton	✓	
Rep. Mike Menahan	✓	
Chairman Mike Milburn	✓	

HOUSE OF REPRESENTATIVES

Roll Call - Vote

Natural Resources Committee

DATE: 1/16

failed

BILL: Amendment To HB 39

6 - 12

<u>NAME</u>	<u>Yes</u>	<u>No</u>
Rep. Gordon Hendrick (VCh)	<input checked="" type="checkbox"/>	
Rep. JP Pomnichowski (VCh)		<input checked="" type="checkbox"/>
Rep. Kendall Van Dyk		<input checked="" type="checkbox"/>
Rep. Michele Reinhart		<input checked="" type="checkbox"/>
Rep. Scott Mendenhall <i>by proxy</i>	<input checked="" type="checkbox"/>	
Rep. Mike Miller		<input checked="" type="checkbox"/>
Rep. Betsy Hands		<input checked="" type="checkbox"/>
Rep. Brian Hoven	<input checked="" type="checkbox"/>	
Rep. Anders Blewett	<input checked="" type="checkbox"/>	
Rep. Tom McGillvray		<input checked="" type="checkbox"/>
Rep. Jill Cohenour		<input checked="" type="checkbox"/>
Rep. Gerald Bennett		<input checked="" type="checkbox"/>
Rep. Sue Dickenson	<input checked="" type="checkbox"/>	
Rep. Tony Belcourt	<input checked="" type="checkbox"/>	
Rep. Chas Vincent		<input checked="" type="checkbox"/>
Rep. Wendy Warburton		<input checked="" type="checkbox"/>
Rep. Mike Menahan		<input checked="" type="checkbox"/>
Chairman Mike Milburn		<input checked="" type="checkbox"/>

HOUSE OF REPRESENTATIVES

Roll Call - Vote

Natural Resources Committee

DATE: 1/16/2009

16/2

BILL: HB 39 - Passed

<u>NAME</u>	<u>Yes</u>	<u>No</u>
Rep. Gordon Hendrick (VCh)	✓	
Rep. JP Pomnichowski (VCh)	✓	
Rep. Kendall Van Dyk	✓	
Rep. Michele Reinhart	✓	
Rep. Scott Mendenhall		✓
Rep. Mike Miller	✓	
Rep. Betsy Hands	✓	
Rep. Brian Hoven	✓	
Rep. Anders Blewett	✓	
Rep. Tom McGillvray	✓	
Rep. Jill Cohenour	✓	
Rep. Gerald Bennett	✓	
Rep. Sue Dickenson	✓	
Rep. Tony Belcourt	✓	
Rep. Chas Vincent	✓	
Rep. Wendy Warburton	✓	
Rep. Mike Menahan	✓	
Chairman Mike Milburn		✓

AUTHORIZED COMMITTEE PROXY

I request to be excused from the House Natural Resources

Committee because of other commitments. I desire to leave my proxy vote with:

Gordon Hendrick

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

Amendment HB003901	✓	
HB39		✓
Amendment HB00401	✓	
HB41	✓	

BILL/AMENDMENT

AYE NO

Rep. Scott Marshall
(Signature)

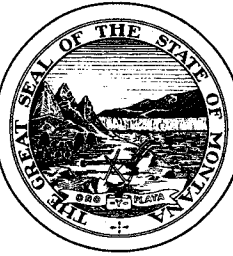
Date ~~1-16-09~~ 1-16-09

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION

EXHIBIT

DATE

HB



BRIAN SCHWEITZER, GOVERNOR

1625 ELEVENTH AVENUE

STATE OF MONTANA

DIRECTOR'S OFFICE (406) 444-2074
TELEFAX NUMBER (406) 444-2684

PO BOX 201601
HELENA, MONTANA 59620-1601

Date: January 15, 2009

To: Chairman Mike Milburn
House Natural Resource Committee

Re: HB 39, Revising Water Rights Enforcement Laws
Sponsor, Representative Jill Cohenour

In response to a question from Representative Hoven regarding the status of written complaints filed with the Department of Natural Resources and Conservation during 2008 that have not been resolved, and to a question from Representative Vincent regarding what fines were imposed from complaints filed in 2008, the Department provides the following information:

Total number or complaints received in 2008: 60

Number where fines collected: 0

Resolved: 31

No violation found: 12
Illegal use terminated: 10
Use modified to comply with water right: 6
Appropriate water right secured: 3

No DNRC Jurisdiction: 14

Ditch easement or trespass issue: 2
Referred parties to proper authority (Water Court, Dist. Court, CD, DEQ, etc.): 12

Unresolved or Outcome Pending: 15

DNRC has entered into civil action against complaine: 1
Insufficient information from complainer so no action: 1
District Court complaint filed: 1
Parties working out agreement: 5
Water right or change applications pending: 3
Letter sent to complaine and awaiting response: 1
Awaiting results of field investigation: 3

**Montana House of Representatives
Visitors Register**

NATURAL RESOURCES

Date 11/14/09

Bill No. 39 Sponsor(s) _____

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
<i>Sarah Bond</i>	<i>ATC</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.